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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 JOSHUA D. LAMBERT,

9 Plaintiff,

10 v.

11 ROBERT S. MCKAY et al.,

12 Defendant.
13

Case No. C19-1829-BJR-SKV

ORDER DIRECTING DEFENDANTS
TO FILE ANSWER

14 Plaintiff, Joshua D. Lambert, proceeds pro se in this civil rights action pursuant to 42
15 U.S.C. § 1983. In a Report and Recommendation dated November 9, 2020, the Honorable Mary
16 Alice Theiler recommended that Plaintiff's motion for a partial judgment on the pleadings (Dkt.
17 16) be denied and Island County Defendants' motion for a judgment on the pleadings (Dkt. 40)
18 be granted and that the complaint be dismissed with prejudice as to all federal constitutional
19 claims and without prejudice as to Plaintiff's state law claims. Dkt. 53. By order dated May 21,
20 2021, the Honorable Barbara J. Rothstein adopted in part and declined to adopt in part Judge
21 Theiler's Report and Recommendation. Dkt. 67. Judge Rothstein stated:

22 The Court [...] adopts the recommendations of the R&R except as follows: Defendants'
23 Motion for Judgment on the Pleadings for dismissal of Count 1 is denied. Plaintiff's
Motion for Judgment on the Pleadings on Count 1 is also denied. For the reasons outlined
herein and in the R&R, all other claims in the Complaint are dismissed.

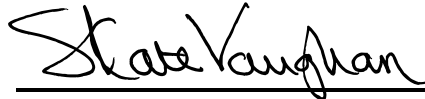
1 The Court re-refers this case to the magistrate judge for further proceedings
2 consistent with this order.

3 Dkt. 67.

4 In light of Judge Rothstein's order, the Court hereby ORDERS:

- 5 1) On or before **August 2, 2021**, Defendants are directed to file an answer or other
6 appropriate motion with respect to the sole remaining count in the complaint
7 (Count I). Upon Defendants' filing of an answer, the Court will issue a scheduling
8 order setting other appropriate pretrial deadlines (including for discovery and
9 dispositive motions) in the case.
10 2) The Clerk is directed to send copies of this order to the parties and to the
11 Honorable Barbara J. Rothstein.

12 Dated this 29th day of June, 2021.

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15 S. KATE VAUGHAN
16 United States Magistrate Judge
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